

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. MJ 16-462
)
Plaintiff,)
)
v.) DETENTION ORDER
)
DOUGLAS BLOUIN,)
)
Defendant.)
_____)

Offense Charged: Distribution of Child Pornography, 18 USC ¶2252(a)(2) and (b)(1).

Date of Detention Hearing: October 28, 2016.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) The allegations contained in the Complaint support the following conclusions.

Defendant has trafficked in child pornography for a long time, and continues to do so, via the internet.

(2) His criminal record includes a conviction for child molestation in the first degree, involving two boys, six and eight years of age.

(3) He failed to comply with court-directed sex offender treatment. Specifically, he failed to follow through with two polygraph exams; failed to complete a plethysmograph evaluation; and had a number of unexcused absences from treatment.

(4) He has significant other health issues, both physical and mental. He has a “marijuana card, and self-medicates with marijuana to combat pain and nausea. He acknowledges current thoughts of suicide.

(5) Defendant’s landlord was present at the time his residence was searched. It is not clear that defendant would be allowed to return to his current residence.

(6) In light of his prior conviction, defendant faces a minimum sentence of 15 years if convicted in this case, and a maximum of 40.

(7) There is a rebuttable presumption of detention in this case, given the nature of the charges. Although defendant has presented argument in opposition to detention, the “presumption” remains as a factor for the court to consider.

(8) The United States has met its burden of showing, by clear and convincing evidence, that defendant would pose a danger to other persons and the community if released on conditions. The Government has not met its burden of showing, by a preponderance of the evidence, that there are no conditions which would reasonably assure defendant would make his court appearances as directed.

01 It is therefore ORDERED:

02 (1) Defendant shall be detained pending trial and committed to the custody of the
03 Attorney General for confinement in a correction facility separate, to the extent
04 practicable, from persons awaiting or serving sentences or being held in custody
05 pending appeal;

06 (2) Defendant shall be afforded reasonable opportunity for private consultation with
07 counsel;

08 (3) On order of the United States or on request of an attorney for the Government, the
09 person in charge of the corrections facility in which defendant is confined shall
10 deliver the defendant to a United States Marshal for the purpose of an appearance in
11 connection with a court proceeding;

12 (4) The Clerk shall direct copies of this Order to counsel for the United States, to counsel
13 for the defendant, to the United States Marshal, and to the United States Probation
14 Officer.

15 DATED this 28th day of October, 2016.

16 s/ John L. Weinberg
17 United States Magistrate Judge
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